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Security Council Committee established pursuant to resolution 1267 (1999)

Letter dated 15 April 2002 from the Permanent Representative of South Africa to the United Nations addressed to the Chairman of the Committee

On instruction from my Government, I have the honour to submit to the Committee established pursuant to Security Council resolution 1267 (1999) the report of the measures taken by the Republic of South Africa to implement Security Council resolution 1390 (2002) (see annex).

I would be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador and Permanent Representative

02-34593 (E) 260402

Annex to the letter dated 15 April 2002 from the Permanent Representative of South Africa to the United Nations addressed to the Chairman of the Committee

SOUTH AFRICA'S NATIONAL REPORT SUBMITTED PURSUANT TO PARAGRAPH 6 OF SECURITY COUNCIL RESOLUTION 1390 (2002) TO THE SECURITY COUNCIL SANCTIONS COMMITTEE ON AFGHANISTAN: THE IMPLEMENTATION OF OPERATIVE PARAGRAPH 2 (A) TO (C) OF RESOLUTION 1390 (2002)

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SOUTH AFRICA'S NATIONAL REPORT PURSUANT TO PARAGRAPH 6 OF SECURITY COUNCIL RESOLUTION 1390 (2002) TO THE SECURITY COUNCIL SANCTIONS COMMITTEE ON AFGHANISTAN: THE IMPLEMENTATION OF OPERATIVE PARAGRAPH 2 (A) TO (C) OF RESOLUTION 1390 (2002)

SECTION A

OPERATIVE PARAGRAPH 2

The implementation of operative paragraph 2 (a) to (c) of Security Council resolution 1390 (2002)

Question 1: What legislative and/or administrative measures have been taken to freeze the funds and other financial assets or economic resources of the individuals, groups, undertakings and entities referred to in the list mentioned in paragraph 2 of resolution 1390 (2002), including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and to ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory

Response:

The South African Government has taken the following legislative and/or administrative measures to give effect to the measures contained in paragraph 2 (a):

A. Legislation:

1(a) Currency and Exchanges Act, 1933 (Act No. 9 of 1933) and Exchange Control Regulations, 1961.

In terms of Exchange Control Regulations, 1961, promulgated in terms of Section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), the control over South Africa's foreign currency reserves, as well as the accrual and spending thereof, is vested in the Treasury. The Regulations define the Treasury as the Minister of Finance or an officer in the Department of Finance who, by virtue of the division of work in that Department, deals with the matter on the authority of the Minister of Finance.

The Minister of Finance has in terms of the Regulations appointed the Exchange Control Department of the South African Reserve Bank to carry out certain functions assigned to the Treasury, and as such the Department is responsible for the day-to-day administration of exchange control.

The Minister of Finance has also appointed certain banks to act as Authorised Dealers in foreign exchange. This appointment gives the Authorised Dealers the right to buy and sell foreign currency, but under the conditions and within the limits prescribed by the Exchange Control Department to the Authorised Dealers through Exchange Control Circulars.

The Act empowers the Minister of Finance to instruct Authorised Dealers to freeze funds and financial resources and block accounts held in South Africa and to prohibit the movement of capital into and out of South Africa.

Regulation 3 of the Exchange Control Regulations provides for the restriction on the export of currency, gold, securities etc. and import of South African Bank notes. In particular, Regulation 3(1)(c) provides as follows:

> "3. (1) Subject to any exemption which may be granted by the Treasury or a person authorised by the Treasury, no person shall, without permission granted by the Treasury or a person authorised by the Treasury and in accordance with such conditions as the Treasury or such authorised person may impose –
>
> (c) make any payment to, or in favour, or on behalf of a person resident outside the Republic, or place any sum to the credit of such person;"

The Exchange Control Department of the South African Reserve Bank may, therefore, through the issuing of an Exchange Control Circular grant or withdraw a specific exemption.

The Treasury may also in terms of a Notice under Regulation 4 (3) of the Exchange Control Regulations direct that all sums due by any other person to persons resident in a particular country, or any particular person whom the Treasury has reasonable grounds to suspect of having contravened any provision of the Exchange Control Regulation relating to Foreign Exchange, be paid into a blocked account. The Act is attached as Addendum A to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

1(b) Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998)

This Act was specifically passed to deal with crime syndicates operating in South Africa. Any person who participates in the activities of a criminal enterprise (even if there is no evidence linking that person to a specific crime) could be acting in contravention of this Act. An accused convicted under this Act could face a maximum fine of one billion Rand or life imprisonment. This Act also contains the offences of money laundering and related activities. This Act has repealed the Proceeds of Crime Act of 1996 and now incorporates provisions relating to the confiscation of the proceeds of crime. Consequently the Prevention of Organised Crime Act now empowers the courts to order that the benefit that an offender had derived from the offence of which he/she had been

convicted, may be confiscated. Upon application by the Office of the National Director of Public Prosecutions to the High Court, property of persons implicated under this Act may be forfeited to the State. Finances generated though the forfeiture of assets will be used to assist law enforcement agencies fighting crime as well as the victims of crime. The Act is attached as Addendum C to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S 2001 1281).

1(c) Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001)

The Financial Intelligence Centre (FIC) Act was adopted by the South African Parliament on 6 November 2001 and was assented to by the President on 28 November 2001. Certain provisions, including those establishing the Financial Intelligence Centre, took effect on 31 January 2002. A process is currently underway to draft regulations that will support the operation of the other provisions of this Act. It is envisaged that the majority of these provisions, which include provisions concerning the reporting of suspicious and unusual transactions, will take effect during the course of this year.

The Act draws extensively on international best practice and provides the South African Government with the tools to play an important role in combating all money laundering activities. It sets up an anti-money laundering regime which encourages voluntary compliance and self-regulation by institutions which otherwise may be exploited for money laundering purposes. To this extent, the FIC Act complements the Prevention of Organised Crime Act of 1998. The Act is attached as Addendum F to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

1(d) International Co-operation in Criminal Matters Act, 1996 (Act No. 75 of 1996)

This Act facilitates the provision of evidence and the execution of sentences in criminal cases and the confiscation and transfer of the proceeds of crime between South Africa and Foreign States. The Act provides for mechanisms to give judicial effect to requests for assistance in obtaining evidence, providing *inter alia* for the examination of witnesses, mutual execution of sentences and the confiscation and transfer of the proceeds of crime. The Act is attached as Addendum M to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

B. Conventions:

1(e) Transnational Organised Crime Convention

South Africa signed the Transnational Organised Crime Convention (the Palermo Convention) in December 2000. The Department of Justice and Constitutional Development is currently processing the Convention through the constitutional procedures required to ratify the Convention.

1(f) The International Convention for the Suppressing of the Financing of Terrorism

The Government of the Republic of South Africa signed the Convention on 10 November 2001. The ratification of this convention, as well as the International Convention for the Suppression of Terrorist Bombing and the OAU Convention on the Prevention and Combating of Terrorism, are currently receiving attention.

C. Administrative Action:

1(g) Financial restrictions imposed against the Taliban

The South African Reserve Bank has circulated nine Exchange Control Circulars advising all authorised dealers that, due to UN sanctions, they are not allowed to make any funds and/or financial or economic resources available to the Taliban, as well as to Usama bin Laden and individuals associated with him. The Exchange Control Circulars have also requested all Authorised Dealers in foreign exchange to report any facilities or assets of this nature that may have been in place before the sanctions were imposed, as well as any future attempts by the private sector to enter into transactions with the prohibited parties and persons. The Exchange Control Circulars in question are No D.302 of 13 September 2000, No D.314 of 13 February 2001, No D.339 and No D.340 of 12 October 2001, No D.343 of 2 November 2001, No D.349 of 23 November 2001, No D. 351 of 3 December 2001, No D.352 of 23 January 2001 and D358 of 4 April 2002. Exchange Control Circulars No D.339, D.340, D.343, D.349, D.351, D.352 and D358 contained the details of the individuals and entities that were listed by the Security Council Committee on Afghanistan. Exchange Circular D.358 is attached as **Addendum A** to this report.

All reports received to date indicate that the authorised dealers do not have any assets of the individuals or entities stipulated in the lists of the Sanctions Committee on Afghanistan on their books, or under their control, and that no facilities were granted to them.

1(h) Financial restrictions imposed against organisations, entities and individuals identified as being associated with terrorist acts or terrorist organisations

The South African Reserve Bank has issued a list of individuals and organisations believed to be involved in the terror attacks in the USA (as provided in the US Executive Order of 23 September 2001) to all banking institutions in South Africa. In a letter dated 28 September 2001, the Registrar of Banks directed banks in terms of Section 7 (1) (a) of the Banks Act (Act No. 94 of 1990) to search their records in order to identify any relationship or involvement with any individuals or organisations whose names appeared on these lists. A similar directive was issued to all banking institutions on 13 March 2002, referring to the relevant resolutions adopted by the United Nations Security Council, pertaining to the Taliban/Al-Qaida. Information must be supplied to the Registrar of Banks by no later than 28 March 2002 and thereafter on a quarterly basis.

The results are centralised at the Exchange Control Department of the South African Reserve Bank. All the banking institutions have responded to the letter dated 28 September 2001. [illegible] reports received to date indicate that the authorised dealers do not have any assets of the individuals or entities stipulated in the lists of the Sanctions Committee on Afghanistan on their books, or under their control, and that no facilities were granted to them. The Reserve Bank Directive to all Registered Banks and Branch Offices in South Africa is attached as **Addendum B** to this report. A similar letter from the Financial Services Board to all registered long-term Insurers is attached as **Addendum C** to this report.

In addition, the South African Government published a Notice in the Government Gazette No. 22752, with Notice Number R 1036, on 12 October 2001. The notice contained the details of the individuals and entities listed in the US Executive Order of 23 September 2001 (endorsed by the United Nations on 8 October 2001). The South African Reserve Bank issued Exchange Control Circular No D.340 on 12 October 2001, informing all authorised dealers of the contents of the Government Notice. All reports received to date indicate that the authorised dealers do not have any assets of the individuals or entities stipulated in the lists of the Sanctions Committee on Afghanistan on their books, or under their control, and that no facilities were granted to them.

Furthermore, the Reserve Bank has a well-developed transaction-reporting regime, which records all cross border foreign exchange flows via Authorised Dealers in foreign exchange. Research is done on a continuous basis to trace any transactions alleged to be involved in the financing of terrorist acts. The results are communicated to the South African Police Service, who then conducts an investigation into the matter. The authorisation process at the Exchange Control Department includes an electronic system that will automatically prevent approval of applications where any of the names listed in the Circulars mentioned above are involved. The Exchange Control Department has received no applications of this nature.

All transactions that could potentially be construed as a contravention of the resolutions are investigated intensively in terms of origins of funds, ownership, trail of funds and recipients thereof.

None of the names of the individuals, groups, undertakings and entities as referred to in the list of the Sanctions Committee on Afghanistan have been identified as operating in South Africa and no action by the South African authorities has therefore been required.

Question 2: What measures have been taken to prevent the entry into or transit through South African territory of the individuals referred to in the list mentioned in paragraph 2 of resolution 1390 (2002)?

Response:

2(a) Aliens Control Act, 1991 (Act No. 96 of 1991)

The Act empowers the Minister of Home Affairs if he/she considers it to be in the public interest, to order the arrest and removal of any person who is not a South African citizen. A person may also be prohibited from admission to and residence in South Africa. The Department of Home Affairs has computerised visa and entry stop-lists to prevent the entry of prohibited persons. In order to improve the control over the cross border movement of persons and goods by air, the number of international airports has been reduced from 40 to 10. This has enabled the implementing authorities to concentrate their efforts and resources with a view to greater effectiveness. The Act is attached as Addendum G to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

2(b) International Co-operation in Criminal Matters Act, 1996 (Act No. 75 of 1996)

This Act facilitates the provision of evidence and the execution of sentences in criminal cases and the confiscation and transfer of the proceeds of crime between South Africa and foreign States. The Act provides for mechanisms to give judicial effect to requests for assistance in obtaining evidence *inter alia* for the examination of witnesses, mutual execution of sentences and the confiscation and transfer of the proceeds of crime. The Act is attached as Addendum M to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

2(c) Implementing Mechanisms

The law enforcement and intelligence agencies currently utilise the Department of Home Affairs' Movement Control Systems (MCS). The MCS is an electronic system at all border posts and airports registering arrivals and departures into and from South Africa of all individuals. To this end, all ports of entry/exit are computerised.

Individuals that may have possible links to the terrorist groups mentioned, are being stop-listed (or "flagged"). Names that are received from liaison partners, from UN lists or from Interpol are therefore loaded onto the system. This allows for immediate response from the relevant officials, should such a person enter or leave the country. The official who flagged the individuals will be contacted and appropriate action can be taken (e.g. preventing a person from entering the country or apprehending the person). Since the events of 11 September 2001, 1356 persons have been stop-listed in this regard. The major problem that exists within this system is that identification of especially Arab names is difficult, as the alphabetical translations of Arabic names appear to be phonetic and may not necessarily correspond to the information in the passports of the relevant individuals.

Improved movement control measures, including interdiction and questioning of suspicious individuals, are also being undertaken on a regular basis.

The Security and Intelligence structures in South Africa established, subsequent to the events of 11 September 2001, a national joint operational committee to co-ordinate all

operational activities and intelligence. The forum discussing the flagging of the individuals mentioned above is the inter-Departmental National Joint Operational Committee (NATJOC). This committee is constituted of all security and intelligence agencies in South Africa, as well as with the Department of Provincial and Local Government, the Department of Home Affairs, the South African Civil Aviation Authority (CAA) and the Department of Foreign Affairs. The NATJOC resorts under the Joint Operational and Intelligence Committee which on its part reports functionally to the Cabinet Cluster Committee on Justice, Crime Prevention and Security (JCPS) and nationally to the National Security Council. The NATJOC meets regularly to discuss the latest developments and ways to implement counter-terrorism measures. It also co-ordinates counter-terrorism investigations and is chaired by a senior South African Police Service officer.

Prohibited persons found in the country, having entered without the required authorisation, are arrested, charged and removed from the country in terms of the provisions of the Aliens Control Act (Act No. 96 of 1991). Any person who assists such prohibited persons with entering and/or remaining in the country without authorisation is liable to prosecution in terms of the provisions of the said Act.

Question 3: Have any of the individuals or groups mentioned in the latest Sanctions Committee on Afghanistan list been denied entry into or transit through South African territory?

Response:

3(a) Executive and administrative action on border control measures

The details of individuals associated with the Taliban as provided by the Afghanistan Sanctions Committee have been included in the visa and entry stop-lists.

In those cases where the particulars of the individuals as received from the Sanctions Committee were not sufficient or compatible with the visa and entry stop-lists, their names have been distributed manually in the form of a departmental circular to all domestic offices, Foreign Offices and ports of entry in order to identify persons who might fit the profile. Passport Control Instruction No. 83 of 2001 is attached as **Addendum D** to this report.

The South African intelligence community in monitoring the individuals or groups mentioned in resolution 1390 (2002) not only utilises the Sanctions Committee on Afghanistan list, but also lists provided by foreign liaison partners. The liaison partner lists include substantially more entries than the UN lists. After the 11 September events, the intelligence community has watchlisted nearly 1 400 individuals from these lists and subsequent internal investigations have been conducted. None of the individuals identified in the Afghanistan Sanctions Committee lists or foreign liaison partner lists has been identified positively as entering or leaving South African territory.

3(b) Border Control Operational Co-ordinating Committee (BCOCC)

In order to enhance joint actions between the intelligence community of South Africa and the Department of Home Affairs, the Border Control Operational Co-ordinating Committee (BCOCC) has been created, to implement preventative measures at borders. The BCOCC reports to the Cabinet Cluster Committee on Justice, Crime Prevention and Security. Mechanisms to control the movement of terrorists, which include the lists that are controlled by the relevant role players, are in place at ports of entry/exit. To this end all ports of entry/exit are computerised.

The Border Control Departments (South African Police Service and the South African Revenue Service) have also upgraded their security measures in respect of the flow of armaments (conventional and commercial) across borders.

Question 4: What measures have been taken to prevent the direct or indirect supply, sale and transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities?

Response:

4(a) National Conventional Arms Control Committee (NCACC)

The South African Government has since its inauguration in May 1994, committed itself to a policy of non-proliferation, disarmament and arms control which covers all weapons of mass destruction and extends to concerns relating to the proliferation of conventional weapons. On 30 August 1995 the South African Cabinet approved an Interim Arms Control Policy. The policy made provision for a ministerial controlling committee, the National Conventional Arms Control Committee (NCACC), guiding principles and guidelines, and an organisational structure for processing transactions. Professor AK Asmal, the Minister of Education, has chaired the NCACC since its inception in April 1996.

In order to codify the establishment of the NCACC as the implementing body for Government policy on conventional arms control and the control of services, a National Conventional Arms Control Bill has been drafted and has been tabled in Parliament. The Bill spells out the NCACC's organisational, control and inspection functions, including certain guiding principles and criteria that are to be taken into account when considering permit applications.

These criteria stipulate, amongst others, that the NCACC must:

a) Avoid endangering regional and international peace and stability by introducing destabilising military capabilities into a region, which could aggravate or prolong any existing armed conflicts;

b) Adhere to international law, norms and practices and the international obligations and commitments of South Africa, including United Nations arms embargoes; and

c) Avoid contributing to terrorism and crime.

It should be noted that under current procedures the NCACC already adheres to the above criteria in its consideration of permit applications. The NCACC has not received any reports of arms transfers that could be considered to be of a suspicious nature, nor has there been any contravention of any of the Parliamentary Acts referred to in the section below.

4(b) Regulation of Foreign Military Assistance Act, 1998 (Act No. 15 of 1998)

The Act prohibits any person within South Africa and elsewhere from rendering any foreign military assistance to any person unless he or she has been granted authorisation by the National Conventional Arms Control Committee (NCACC), in consultation with the Minister of Defence.

The Act provides that any person who contravenes a provision of the Act (i.e. by providing unauthorised military assistance) shall be guilty of an offence and liable on conviction to a fine or to imprisonment or both.

Foreign Military Assistance is broadly defined and includes military or military- related services, attempts, encouragement, incitement or solicitation. Regulated services include advice or training, personnel, financial, logistical, intelligence or operational support; personnel recruitment; medical or para-medical services; security services; any action aimed at overthrowing a State or undermining its constitutional order or any other action.

In Section 1 (iii), the first part of the definition of foreign military assistance reads as follows:

QUOTE
"Foreign military assistance" means military services or military-related services, or any attempt, encouragement, incitement or solicitation to render such services, in the form of –

(a) military assistance to a party to the armed conflict by means of –
  (i) advice or training;
  (ii) personnel, financial, logistical, intelligence or operational support;
  (iii) personnel recruitment;
  (iv) medical or para-medical services; or

(v) procurement of equipment.

UNQUOTE

In its consideration of applications related to foreign military assistance, the NCACC is guided by the Act. Any person wishing to obtain authorisation, or seeking to obtain approval of an agreement or arrangement for the rendering of foreign military assistance, needs to submit an application to the NCACC. In this regard, the Act contains criteria for the granting or refusal of such authorisations and approvals, stipulating that these may not be granted if, amongst others, the authorisation or approval would "be in conflict with the Republic's obligations in terms of international law" (Section 7(1)(a)) or if it would "support or encourage terrorism in any manner" (Section 7(1)(d)). The Act is attached as Addendum B to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

4(c) Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993)

The South African Council for Non-Proliferation (NPC) implements South Africa's non-proliferation controls. The Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) provides the statutory authority for the NPC to control the export, import, transit and re-export of South African dual-use technology, material and equipment which could be used in the production of weapons of mass destruction and other advanced weapons systems.

Dual-use capabilities are defined by the Act as "those capabilities relating to technology, expertise, service, material, equipment and facilities which can contribute to the proliferation of weapons of mass destruction, but which could also be used for other purposes, including conventional military, commercial and educational use". These goods could form part of larger weapons systems or could be purely for civilian use.

The Act also provides the necessary legal framework for the implementation, within South Africa, of the non-proliferation and arms control obligations, which would arise out of South Africa's participation in the various export control regimes. The Act is attached as Addendum J to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

4(d) Firearms Control Act, 2000 (Act No. 60 of 2000)

In terms of Section 73 of this Act, no person may import or export firearms and ammunition without the necessary permit. The sentence for the contravention of Section 73 is 15 years imprisonment. In terms of Section 31 (1) of the Firearms Control Act, 2000 (Act No. 60 of 2000), no person may trade in any firearm or ammunition without a dealer's license. There are certain requirements which must be met before a dealer's licence will be issued and conditions may be imposed on the dealer (Sections 32 and 33) The information with regard to licenses of dealers is centralised and can be obtained from

the Registrar of Firearms. In terms of Section 124 the Registrar must establish and maintain the Central Firearms Register.

The firearms and ammunition may only be sold to a dealer or the State and if exported, must be done in terms of Section 73. In terms of Section 45 of the Act manufacturing of firearms and ammunition can only be done by a person in possession of a manufacturer's license. Sentence for contravening Section 45 is 25 years imprisonment. The Act is attached as **Addendum E** to this report.

4(e) The Armaments Development and Production Act, 1968 (Act No. 57 of 1968)

The Armaments Development and Production Act, deals with the regulation of armaments for defence purposes and not civilian purposes. In terms of this Act no armaments shall be marketed, exported, imported, conveyed, developed or manufactured except under the authority of and according to the conditions stated in a permit issued by the Minister of Defence or by a person authorised by him. The National Conventional Arms Control Committee (NCACC) executes the provisions of this Act, some of which will be replaced with the promulgation of the National Conventional Arms Control Bill. Although this Act was drafted to regulate and control the sale, marketing, conveyance, development and manufacture of weapons, the Act does provide sufficient mechanisms to counter the unauthorised use of armaments for purposes such as terrorism.

The term "Armaments" includes any vessels, vehicles, aircraft, bombs, ammunition or weapons with a calibre of 20mm and more, or any substance, material, raw material, components, equipment system, articles or technique of whatever nature capable of being used in the development, manufacture or maintenance of armaments or for defence purposes or other purposes determined by the Minister with the concurrence of the Minister of Economic Affairs.

The sentence for the contravention of this Act is a fine not exceeding ten thousand Rand or imprisonment for a period not exceeding ten years or both a fine and imprisonment. The Act is attached as Addendum K to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S/2001/1281).

4(f) Civil Aviation Offences Act, 1972 (Act No. 10 of 1972)

The Civil Aviation Offences Act, 1972 was adopted by Parliament to *inter alia* give effect to The Hague, Tokyo and Montreal International Aviation Security Conventions. The Act has been prepared for amendment in order to create graver penalties for infringements to the Act, and by analogy to the relevant Conventions and is in the final stages of preparation for publication. This Act applies also to the Civil Aviation Safety Regulations of 1981, which in turn gives powers to the National Aviation Security Committee (NASC) which is chaired by the Commissioner for Civil Aviation to advise the Minister on any matters relating to aviation safety and the National Safety Plan (NSP). The interim NSP has been completed and lies with the Minister of Transport for approval. The NSP covering the requirements of the ICAO Annexure 17 (International

Minimum Security Standards and Recommendations) has been completed. The Act is attached as Addendum I to South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S 2001 1281).

In addition to the legislation mentioned above, South Africa has a comprehensive legislative framework in which to prosecute terrorist acts. This legislative framework is reflected in South Africa's National Report pursuant to resolution 1373 (2001) to the Counter-Terrorism Committee (S 2001 1281).

SECTION B

1. ADDENDA ATTACHED TO THE NATIONAL REPORT *

- Exchange Circular D.358 (Addendum A)
- Reserve Bank Directive to all Registered Banks and Branch Offices in South Africa (Addendum B)
- Financial Services Board Directive to all registered long-term Insurers (Addendum C)
- Passport Control Instruction No. 83 of 2001 (Addendum D)
- Firearms Control Act. 2000 (Act No. 60 of 2000 (Addendum E)

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* The addenda are on file with the Secretariat, room S-3055, and are available for consultation.